

KEVIN V. RYAN (CASBN 118321)
United States Attorney

EUMI L. CHOI (WVBN 07225)
Chief, Criminal Division

H. H. (SHASHI) KEWALRAMANI (TXSBN 796879)
Assistant United States Attorney

150 Almaden Blvd., Suite 900
San Jose, California 95113
Telephone: (408) 535-50610
Facsimile: (408) 535-5066

E-FILED - 9/1/05

Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	Case No. CR 05-00540 RMW
)	
Plaintiff,)	ORDER GRANTING STIPULATION TO
)	WAIVE TIME UNDER SPEEDY TRIAL
v.)	CLOCK AND FOR PRELIMINARY
)	HEARING
SHIN-GUO TSAI,)	
)	Date: September 1, 2005
Defendant.)	Time: 2:00 p.m.
)	Before the Honorable Ronald M. Whyte

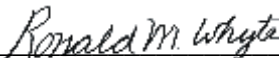
ORDER

This matter is set to come before the Court on September 1, 2005 at 2:00 p.m. for preliminary hearing or arraignment. Pursuant to Federal Rule of Criminal Procedure 5.1(d), the Defendant waived time for preliminary hearing until September 6, 2005 at 9:00 a.m. The parties notified the Court that the parties believe they have resolved the matter pursuant to a plea agreement. The parties requested that the period of time between September 1, 2005 and September 6, 2005 be excluded from the Speedy Trial Clock to allow for the to allow for continuity of defendant's counsel and for their effective preparation. Good cause appearing therefor,

IT IS HEREBY ORDERED that the period of time between September 1, 2005 and September 6, 2005 is excluded from the Speedy Trial Clock to allow for continuity of counsel and the effective

1 preparation of counsel. 18 U.S.C. § 3161(h)(8)(B)(iv). The Court finds that the “ends of justice
2 served by the granting of such continuance outweigh[s] the best interests of the public and the defendant
3 in a speedy trial.” 18 U.S.C. § 3161(h)(8)(A). Additionally, the Court finds that the Defendant, Shin-
4 Guo Tsai, knowingly and voluntarily waived the period between September 1, 2005 and September 6,
5 2005, such that preliminary hearing, if any if needed, is now scheduled for September 6, 2005 at 9:00
6 a.m.

7 DATED: 9/1/05

8 
9 RONALD M. WHYTE
10 United States District Judge

11 Distribute to:

12 John D. Robertson
13 Law Offices of John D. Robertson
14 1055 Wilshire Blvd., Suite 1702
15 Los Angeles, CA 90017
16 Counsel for Defendant

17 Vivian Lu
18 Law Offices of Vivian Lu
19 35485-B Dumbarton Court
20 Newark, CA 94560
21 Counsel for Defendant

22 H. H. (Shashi) Kewalramani
23 Assistant United States Attorney
24 150 Almaden Blvd., Suite 900
25 San Jose, CA 95113
26 Counsel for Plaintiff
27
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